

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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JAMES N. HOOD AS LIQUIDATING TRUSTEE OF  
THE OCEANRADE CORPORATION LIQUIDATING  
TRUST,

Plaintiff,

-against-

SINOTRANS (GERMANY) GMBH,

Defendant.

08 Civ. 2361 (LAP)

**CONSENT ORDER DIRECTING  
THE RELEASE OF  
ATTACHED FUNDS SUBJECT  
TO RULE B(1) ATTACHMENT**

**WHEREAS** on or about March 10, 2008, James N. Hood as Liquidating Trustee of the Oceantrade Corporation Liquidating Trust ("Oceantrade") instituted this action against Sinotrans (Germany) GmbH ("Sinotrans"), pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure; and

**WHEREAS**, Oceantrade has served Process of Maritime Attachment and Garnishment (the "PMAG") on various garnishees including ABN Amro Bank; and

**WHEREAS**, pursuant to service of the PMAG upon it, ABN Amro Bank has confirmed that it is holding certain funds in the form of Electronic Funds Transfers belonging to Sinotrans in the amount of \$223,555.58 ("Attached Funds"); and

**WHEREAS**, Oceantrade and Sinotrans have agreed to resolve Oceantrade's claim against Sinotrans in London arbitration under the LMAA Small Claims Procedure and Commentary (2006); and

**WHEREAS**, on or about April 30, 2008, Oceantrade and Sinotrans entered into an escrow agreement ("Escrow Agreement") under which the parties agreed that the Attached Funds should be transferred to LENNON, MURPHY & LENNON's client escrow account and thereafter be maintained and subject to the terms of the Escrow Agreement; and

**WHEREAS**, by the terms of the Escrow Agreement, LENNON, MURPHY & LENNON will then transfer the sum of US\$65,000 ("Escrow Amount") to a sub escrow account established by them to be held as security for Oceantrade's alleged claims and thereafter be maintained and subject to the terms of the Escrow Agreement.

**NOW, THEREFORE**, it is hereby:

**ORDERED** that AMB Amro Bank is directed to disburse the Attached Funds in their possession to LENNON, MURPHY & LENNON, LLC, as escrow agent in accordance with instructions, as will be identified in a separate signed letter from Sinotrans' attorneys LENNON, MURPHY & LENNON, LLC and sent to ABN Amro Bank after the issuance of this Consent Order; and it is further

**ORDERED** that any other funds attached under the PMAG are to be released and wired in accordance with their original wiring instructions; and it is further

**ORDERED** that this Consent Order likewise shall apply to all further funds frozen by garnishees pursuant to the PMAG and release of such funds is directed without Oceantrade

and/or Sinotrans having to apply for a supplemental consent order. All such frozen amounts shall be transferred in accordance with the original wire instructions; and it is further

**ORDERED** that this action shall be stayed and moved to the Court's suspense docket, subject to re-opening at the written request of either party for further proceedings as necessary at the conclusion of the arbitration in London.

Dated: New York, New York  
April 30, 2008

HOLLAND & KNIGHT LLP  
Attorneys for Plaintiff  
JAMES N. HOOD AS LIQUIDATING  
TRUSTEE OF THE ONCEANTRADE  
CORPORATION LIQUIDATING TRUST

By: 

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*In addition, counsel shall  
confer and inform the Court  
of the status of the action no  
later than September 15, 2008*

SO ORDERED:



U.S.D.J.

Date

*May 1, 2008*

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